

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

CLAUDIO BURGOS MALDONADO
Claimant

VS

**THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PR**
As representative of
**COMMONWEALTH OF PUERTO
RICO et als,**
Debtors

**PROMESA,
Título III**

No. 17 BK 3283-LTS

This filing relates to the
Commonwealth, HTA and ERS.

Claim # 6531

IN RESPONSE TO

***“NINETY-SEVENTH OMNIBUS OBJECTION (NON-SUBSTANTIVE) OF THE
COMMONWEALTH OF PUERTO RICO, PUERTO RICO HIGHWAYS AND
TRANSPORTATION AUTHORITY, AND EMPLOYEES RETIREMENT SYSTEM OF THE
GOVERNMENT OF THE COMMONWEALTH OF PUERTO RICO TO DEFICIENT
CLAIMS ASSERTING INTERESTS BASED ON SALARY DEMANDS, EMPLOYMENT OR
SERVICES PROVIDED”***

TO THE HONORABLE COURT:

COMES NOW Claudio Burgos Maldonado, the CLAIMANT who, in his own right, very respectfully, REPLIES the following, before the Court:

1. My name is Claudio Burgos Maldonado. Address is in Bo. Montesoria II, 154 Calle Marlin, Aguirre, Puerto Rico, 00704. My phone number is (939) 339-4000. Email address: srcburgos3@gmail.com. I appear by my own right, having no lawyer or designated representative. I appreciate that any notification will be sent to the address mentioned above.

2. I was notified of the ninety-seven global objection filed by the defendants or debtors. It indicates that the claim filed on April 6, 2018 (*exhibit 1*) is a flawed one and I quote: *“Proof of claim purports to assert liabilities associated with the Commonwealth of Puerto Rico, but fails to provide any basis or supporting documentation for asserting a claim against the Commonwealth of Puerto Rico, such that the Debtors are unable to determine whether claimant*

has a valid claim against the Commonwealth of Puerto Rico or any of the other Title III debtors."

Under case number. 17 BK 3283-LTS.

3. I respectfully oppose based on the following fundamentals:

- a. The claimant, Claudio Burgos Maldonado, was fired on December 4, 2009 under the provisions of Puerto Rico Law 7-2009. In due course an administrative claim was filed, since the position held by the employee was exempt from the law. On December 13, 2012 the CASP ordered my reinstatement and the payment of the unpaid wages. (*Arbitration Award L-12-235 of the CASP*).
- b. On July 12, 2013, the Court of First Instance, Superior Chamber of San Juan in the case KAC2013-0030 issued a judgment confirming the arbitration award of employer labor arbitration L-12-235 that leave without effect my dismissal under law 7-2009, ordered my reinstatement in the position I held in the Department of Natural and Environmental Resources and the payment of unpaid wages.
- c. On October 31, 2013, a judgment was issued confirming the judgment of the Court of First Instance of San Juan Puerto Rico, after having appealed in certiorari before the Court of Appeals of Puerto Rico, case number KLCE201301109. The judgment of the Court of Appeals is attached. (*exhibit 2*)

4. Before the Court order I was reinstated to my job. Attached is a letter from the ELA, Department of Natural and Environmental Resources dated June 26, 2015, which also refers to the retroactive salary payment corresponding to the period of January 9, 2010 until the reinstatement date (*exhibit 3*). As of today, the defendant or debtors ELA owes me the amount claimed for salaries no longer received for \$ 79,581.55. My claim number is 6531. (*Date filed: 9/4/2018; Case number: 17 BK 03283-LTS Commonwealth of Puerto Rico; Creditor Data Details- Claim # 6531; Asserted Claim Amount \$ 79,581.55*) (*Exhibit 4.*)

5. I present through this reply, my request for the salaries not yet paid for \$79, 581.55., after proving the validity and legal origin of my claim and the documents that support it.

WHEREFORE, I respectfully request that this reply be considered, declaring that my claim number 6531 be addressed and that I be granted payment of this, with any other concession that may proceed according to my claim.

RESPECTFULLY SUBMITTED,

CERTIFICATE OF SERVICE: I hereby certify that the original of this documents was filed with the Clerk's Office Tribunal de Distrito de los Estados Unidos Room 150 Federal Building San Juan PR 00918-1767; I hereby certify that a copy of this documents was mailed to Counsel for the Oversight Board Proskauer Rose LLP Eleven Times Square Nueva York, Nueva York 10036-8299 A/A: Martin J. Bienenstock Brian S. Rosen; and to Counsel for the Creditors' Committee Paul Hastings LLP 200 Park Avenue Nueva York, Nueva York 10166 A/A: Luc A. Despins James Bliss James Worthington G. Alexander Bongartz.

In Caguas, Puerto Rico, on this January 13, 2020.



CLAUDIO BURGOS MALDONADO
CLAIM #6531

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